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Attorney for All Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

CLIF DAVIS and TIMOTHY G. GAUTHIER,
Trustees who comprise the OREGON AND
SOUTHWEST WASHINGTON NECA-IBEW
ELECTRICAL WORKERS AUDIT COMMITTEE,
Plaintiffs,
vs.

Civil No. 3:13-cv-00473-BR

GENERAL JUDGMENT BY
STIPULATION

SUNDOWN ELECTRIC COMPANY, an Idaho
Corporation,
Defendant.

Defendant Sundown Electric Company, represented by attorney Thomas Triplett and by
Stipulation submitted herewith, stipulates to entry of this General Judgment presented by
Plaintiffs Oregon and Southwest Washington NECA-IBEW Electrical Workers Audit Committee
by and through Plaintiffs counsel, Linda J. Larkin.

NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED, that Plaintiffs
recover from Defendant:

1) Fringe benefit contributions due for hours of employment by covered employees
for the month of January, February and March 2013 in the total sum of \$31,672.82.

GENERAL JUDGMENT BY STIPULATION

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2) Arising from the delinquent payment of fringe benefit contributions for January, February and March 2013, there are due and payable, pursuant to the terms of the respective Trust Agreements and under 29 USC §1132, liquidated damages in the sum of \$3,501.88 and interest calculated through May 10, 2013 in the sum of \$360.17 is due and payable.

3) As a result of the Employer's failure to submit wage withholdings for union dues, vacation pay, industry funds and administrative costs together with the Fringe benefits, the sum of \$3,947.26 is due together with interest calculated at the rate of nine (9%) per cent per annum through May 10, 2013 in the sum of \$51.39.

4) Under all claims for relief for the total sum of \$750.00 for Plaintiffs' attorney fees, and court costs incurred herein in the sum of \$790.00.

MONEY AWARD

- | | | |
|----|---------------------------------|---|
| a. | Judgment Creditor: | CLIF DAVIS and TIMOTHY G. GAUTHIER,
Trustees who comprise the OREGON AND
SOUTHWEST WASHINGTON NECA-IBEW
ELECTRICAL WORKERS AUDIT
COMMITTEE, c/o Linda J. Larkin, Attorney, 210
SW Morrison Street, Suite 500, Portland, OR
97204-3149 |
| b. | Attorney for Judgment Creditor: | Linda J. Larkin
503-227-4600
210 SW Morrison Street, Suite 500
Portland, OR 97204-3149 |
| c. | Judgment Debtor: | Sundown Electric Company
Gene Nelson, Registered Agent
39652 NW Verboort Road
Forest Grove, OR 97116 |
| | DOB: | N/A |
| | EIN: | 82-0433069 |
| | ODL: | n/a |
| d. | Attorney for Judgment Debtor: | Thomas Triplett
Schwabe Williamson
360 SW Bond Street, Suite 400
Bend, OR 97702 |

- e. Person or Public Body Entitled to Portion of payment made on Judgment: None.
- f. Amount of Money Award: \$41,073.52
- g. Attorney fees: In Judgment Amount
- h. Costs Award: In Judgment Amount
- i. Prejudgment Interest: None
- j. Post-Judgment Interest: 9% simple per annum, from date of judgment until paid.

DATED this 29th day of May, 2013.



The Honorable Judge Anna Brown
U.S. District Court Judge for the District of Oregon

Presented this 23rd day of May, 2013.

/s/LINDA J. LARKIN

Linda J. Larkin, OSB No. 792954
Of Counsel, Bennett, Hartman, Morris & Kaplan, LLP
(503) 227-4600
Attorney for Plaintiffs